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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/687,028 | 10/16/2003 | Lenora K. Levin | P-B066 | 9106 |
| 29222 | 7590 | 05/09/2006 | EXAMINER | |
| W. THOMAS TIMMONS THE WHITE HOUSE ON TURTLE CREEK 2401 TURTLE CREEK BLVD DALLAS, TX 75219-4760 | | | NGUYEN, HUNG T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2612 | |

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,028

Applicant(s)

LEVIN, LENORA K.

Examiner

HUNG T. NGUYEN

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 8-11 is/are rejected.
- 7) ☒ Claim(s) 5, 7 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-3 & 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (U.S. 5,614,884) in view of Tan (U.S. 6,043,740).

Regarding claim 1, Evans teaches a vehicle turn signal device [figs.1,6, col.2, lines 28-34 and col.8, lines 13-39] comprising:

- a human operated signal initiation device (36,16) [figs.1,6, col.2, lines 28-34, col.7, lines 62-65 and col.8, lines 13-39];
- a flasher (76) is connected to light indicators for flashing (40,42,52-62) [figs. 1-2,5-6, col.1, lines 40-52, col.2, lines 39-49 and col.4, lines 11-22, col.7, lines 40-48 and col.8, lines 24-39];
- at least a delay device / timers (88-94) communicate with the flasher and circuit of turn signal for flashing short duration (15 second) and long duration (70 second) of turn signals as the driver operator activated the control stalk (36,160) / easily distinguishable from conventional turn signal [figs. 1-2, 5-6, col.7, lines 40-48, col.7, lines 62-67 and col.8, lines 13-39].

The reference of Evans does not specifically mention the circuit causes the vehicle turn signal to operate in a combination of long and short light signals as claimed by the applicant.

A flasher device includes a circuit which can be programmed to produce a desired sequence of short and long flashes by manufacture / company without the use of mechanical devices.

Furthermore, Tan teaches vehicle signaling apparatus comprises a circuit to operate the light signals which is shown in fig.2 as waveform shows a first of two pulses followed by a short delay, less than 3 seconds, followed by a second pulse train of four pulses, followed by a long delay [fig.2, col.1, line 56 to col.2, lines 6].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Tan in the system of Evans for providing at least two indication signals as long and short light signals to the on coming traffic and pedestrians.

Regarding claims 2-3, Evans teaches the delay device / timers (88-94) communicate with the flasher and circuit of turn signal for flashing short duration (15 second) and long duration (70 second) of turn signals as the driver operator activated the control stalk (36, 160) [figs. 1-2, 5-6, col.7, lines 40-48, col.7, lines 62-67 and col.8, lines 13-39].

Regarding claim 8, Evans teaches a vehicle turn signal device [figs. 1 ,6, col.2, lines 28-34 and col.8, lines 13-39] comprising:

- a human operated signal initiation device (36,16) [figs.1,6, col.2, lines 28-34, col.7, lines 62-65 and col.8, lines 13-39];
- a flasher (76) is connected to light indicators for flashing (40,42,52-62) [figs. 1-2,5-6, col. 1, lines 40-52, col.2, lines 39-49 and col.4, lines 11-22, col.7, lines 40-48 and col.8, lines 24-39];
- at least a delay device / timers (88-94) communicate with the flasher and circuit of turn signal for flashing short duration (15 second) and long duration (70 second) of turn signals as the driver operator activated the control stalk (36,160) / easily distinguishable from conventional turn signal [figs. 1-2, 5-6, col.7, lines 40-48, col.7, lines 62-67 and col.8, lines 13-39].

Regarding claims 9-10, Evans teaches the delay device / timers (88-94) communicate with the flasher and circuit of turn signal for flashing short duration (15 second) and long duration (70 second) of turn signals as the driver operator activated the control stalk (36, 160) [figs. 1-2, 5-6, col.7, lines 40-48, col.7, lines 62-67 and col.8, lines 13-39].

3. Claims 4 & 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (U.S. 5,614,884) in view of Tan (U.S. 6,043,740) further in view of Boxer (U.S. 5,731,755).

Art Unit: 2612

Regarding claims 4 & 11, The references of Evans & Tan do not specifically mention the circuit causes the vehicle turn signal to operate in a series of light signal and delays as claimed by the applicant.

However, Boxer teaches vehicular U-turn indicator having a series of sequentially illuminated lights (12, 14,32A) which can be activated by a driver operator as providing a clear indication signal to the on coming traffic and pedestrians [figs.1,3, col.3, lines 13-32, col.4, lines 9-14 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Boxer includes a feature of series of light signal and delays in the system of Evans & Tan to provide a series of indication signals and contributing more safety to the on coming traffic and pedestrians.

Allowable Subject Matter

4. Claims 5, 7 & 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Arguments & Responses

5. Applicant's arguments filed on Mar. 10, 2006 have been fully considered but they are not persuasive reasons in the following.

A/ Applicant states that in claims 1 & 8 recite "easily distinguishable from conventional turn signal".

B/ The applicant claims that the vehicle turn signal to operate in a combination of long and short light signals.

C/ The references of Evans, Tan & Boxer can not be combined for rejections.

Response the argument:

A/ Evans teaches a vehicle turn signal device [figs.1,6, col.2, lines 28-34 and col.8, lines 13-39] having the flasher (76) is connected to light indicators for flashing (40,42,52-62) [figs. 1-2,5-6, col.1, lines 40-52, col.2, lines 39-49 and col.4, lines 11-22, col.7, lines 40-48 and col.8, lines 24-39] and the timers (88-94) communicate with the flasher and circuit of turn signal for flashing short duration (15 second) and long duration (70 second) of turn signals as the driver operator activated the control stalk (36,160) / easily distinguishable from conventional turn signal [figs. 1-2, 5-6, col.7, lines 40-48, col.7, lines 62-67 and col.8, lines 13-39].

B) Evans teaches the delay device / timers (88-94) communicate with the flasher and circuit of turn signal for flashing short duration (15 second) and long duration (70 second) of turn signals as the driver operator activated the control stalk (36, 160) [figs. 1-2, 5-6, col.7, lines 40-48, col.7, lines 62-67 and col.8, lines 13-39].

C) We still believe that those skilled in the art will accept the references of Evans, Tan & Boxer which are proper to combine for rejections in the following:

***** The reference of Evans does not specifically mention the circuit causes the vehicle turn signal to operate in a combination of long and short light signals as claimed by the applicant.

A flasher device includes a circuit which can be programmed to produce a desired sequence of short and long flashes by manufacture / company without the use of mechanical devices.

Furthermore, Tan teaches vehicle signaling apparatus comprises a circuit to operate the light signals which is shown in fig.2 as waveform shows a first of two pulses followed by a short delay, less than 3 seconds, followed by a second pulse train of four pulses, followed by a long delay [fig.2, col.1, line 56 to col.2, lines 6].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Tan in the system of Evans for providing at least two indication signals as long and short light signals to the on coming traffic and pedestrians.

***** The references of Evans & Tan do not specifically mention the circuit causes the vehicle turn signal to operate in a series of light signal and delays as claimed by the applicant.

However, Boxer teaches vehicular U-turn indicator having a series of sequentially illuminated lights (12, 14, 32A) which can be activated by a driver operator as providing a clear indication signal to the on coming traffic and pedestrians [figs.1,3, col.3, lines 13-32, col.4, lines 9-14 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Boxer includes a feature of series of light signal and delays in the system of Evans & Tan to provide a series of indication signals and contributing more safety to the on coming traffic and pedestrians.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1. 136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 9:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Horabik, Michael can be reached on (571) 272-3068. The fax phone number for this Group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

HUNG NGUYEN
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Hung Nguyen', written in a cursive style.

Examiner: Hung T. Nguyen

Date: May 2, 2006